

REMARKS

Applicant requests reconsideration of the application in view of the following remarks.

DRAWINGS

Element 50 is not shown in Fig. 1. The reference number has been deleted from the text wherein Fig. 1 is discussed.

Accompanying this document are revised Fig. 3-E, Fig.3-F, Fig. 5, and Fig. 6 wherein the reference numbers 37, 41(4), 235, 236, and 61 have been deleted.

SPECIFICATION

The title of the invention and the Abstract has been revised in accordance with the examiner's instructions.

The form of the trademarks appearing in this document have been changed to conform with the instructions contained in the Manual of Patent Examining Procedure.

35 U.S.C. 112, SECOND PARAGRAPH, REJECTIONS

The claims have been amended to cure the problems pointed out by the examiner.

35 U.S.C. 102(b) REJECTIONS

CLAIM 1

Claim 1 includes the limitation "a display-control box having . . . control buttons for controlling said camera and its movement" The Lucas et al. "box" 12 shown in Fig. 1 does not provide any "control buttons" for controlling the movement of the camera. See Lucas et al., col. 3, lines 36-44 and col. 4, lines 7-16. In fact, Lucas et al., in describing the camera and its support fixture (Fig. 4), clearly indicates that the pointing direction of the camera is adjusted manually by the operator. Col. 4, lines 17-29.

According to the Manual of Patent Examining Procedure, a reference anticipates a claimed invention only if it describes every limitation of the claim:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. UnionOil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). (Cited in MPEP § 2131.)

"The identical invention must be shown in as complete detail as is contained in the . . .

claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). (Cited in MPEP § 2131.)

Since Lucas et al. does not disclose "a display-control box having . . . control buttons for controlling said camera and its movement", it does not anticipate claim 1.

CLAIM 2

Claim 2 specifies that "full rotation is achieved by mounting said camera to a tiltable mechanism mounted on a panning mechanism."

Lucas et al. shows the reverse arrangement in Fig. 4—the camera 22 mounted to a panning mechanism 104 mounted on a tiltable mechanism 92. Col. 4, lines 25-29.

Thus, Lucas et al. also does not anticipate claim 2.

CLAIM 3

Claim 3 specifies that "said mount assembly incorporates a quick disconnect mechanism."

There is nothing in Lucas et al. that suggests that the Lucas et al. "mount assembly" consisting of ball joints 94 and 100, stem 92, and knurled wheel 104 "incorporates a quick disconnect mechanism." Lucas et al., col. 4, lines 17-29.

The MPEP clearly states that:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. UnionOil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). (Cited in MPEP § 2131.)

A "quick disconnect mechanism" is not "either expressly or inherently described" in Lucas et al. and consequently, Lucas et al. does not anticipate claim 3.

CLAIM 4

Claim 4 specifies that the invention further comprises "a double locking mechanism on said mount assembly where one mechanism is a security fastener."

The counterpart of applicant's "mount assembly" is Lucas et al.'s "pivoting joint 94 such as a ball and socket as shown [in Fig. 4]. Col. 4, lines 20-22. The only "locking mechanism" shown by Lucas et al. in Fig. 4 is a wing nut 96 that constitutes a single locking mechanism—not the double locking mechanism called for by applicant's claim 4. This point is emphasized in the Lucas et al. text:

" . . . it is important to be able [sic] secure stem 92 to base 90 rigidly by a tightening means such as a first wing nut 96." Col. 4, lines 22-24.

It is clear that Lucas et al. had no intention of supplementing their "wing nut 96" with another locking mechanism that would consisture a security fastener.

Once again quoting from the MPEP:

"The identical invention must be shown in as complete detail as is contained in the . . . claim." *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). (Cited in MPEP § 2131.)

Lucas et al. failed to disclose applicant's "double locking mechanism" and thus, did not show "the identical invention . . . in as complete detail as is contained in the . . . claim". Thus, Lucas et al. does not anticipate applicant's claim-4 invention.

CLAIM 14

Claim 4 derives its patentability from its dependency from claim 1.

CLAIM 18

Claim 1 specifies "a display-control box having . . . control buttons for controlling said camera and its movement." Claim 18, which depends from claim 1, further specifies that the set of control buttons are positioned to be operated with a single hand.

Lucas et al. does not disclose control buttons for controlling the camera and its movement (see claim-1 discussion above), and obviously is unable to disclose control buttons that are positioned to be operated with a single hand.

Lucas et al. does not disclose the claim-18 limitation and consequently does not anticipate applicant's claim-18 invention.

35 U.S.C. 103 REJECTIONS

CLAIMS 5-13, 15-17, 19-25

None of the references cited by the examiner in rejecting the above claims disclose the limitations contained in the second element of claim-1 which is reproduced below:

"a display-control box having an image display screen and control buttons for controlling said camera and its movement, said display-control box being attached to an adjustable mount in said vehicle within an operator's view and reach."

Let us break this element down into limitations and contrast these limitations with what is disclosed by Lucas et al., the examiner's primary reference.

Second-Element Limitation No. 1

"a display-control box having an image display screen and control buttons for controlling said camera and its movement"

The Lucas et al. "housing 12" (analogous to applicant's "display-control box") shown in Fig. 1 does not provide any "control buttons" for controlling the movement of the camera. See Lucas et al., col. 3, lines 36-44 and col. 4, lines 7-16. In fact, Lucas et al., in describing the camera and its support fixture (Fig. 4), clearly indicates that the pointing direction of the camera is adjusted manually by the operator. Col. 4, lines 17-29.

Second-Element Limitation No. 2

"a display-control box . . . attached to an adjustable mount in said vehicle within an operator's view and reach."

The Lucas et al. "housing 12" is not "attached to an adjustable mount." Lucas et al. states that "housing 12 is detachably mounted to a floor bracket 16 so that housing 12 may be detached and removed from vehicle 10 with relative ease." Col. 3, lines 17-20. A "detachable" mount is not the same as an "adjustable mount".

In establishing an *a priori* case of obviousness in rejecting a claim, all of the limitations of a claim must have been disclosed by at least one of the cited references:

"Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." MPEP § 2142, ESTABLISHING A *PRIMA FACIE* CASE OF OBVIOUSNESS.

Thus, for the examiner's conclusion of obviousness to stand insofar as any particular claim is concerned, the cited references for that claim must disclose the limitations contained in the second element of claim 1. We have shown above that Lucas et al. does not disclose the second element of applicant's claim 1. Let us now examine each of the other references cited by the examiner to see if any such disclosure is made.

Sergeant et al. - The subject invention is a television camera enclosure or housing which protects a camera from damage by the environment within which it is placed. Col. 1, lines 7-9. No mention is made of anything analogous to applicant's "display-control box".

Klapper et al. - Klapper et al.'s "remote control unit 566" is analogous to applicant's "display-control box". However, Klapper et al.'s "remote control unit 566" is separate from the "display unit 587, 1030" (Fig. 1), and thus the "remote control unit 566" does not include a display as specified in the second element of applicant's claim 1. Klapper et al.'s "remote control unit 566" uses a "joystick" to control the orientation of the camera rather than the control buttons specified in the second element, and it is simply mounted inside the vehicle rather than "attached to an adjustable mount" as the second element requires. Col. 6, lines 7-29; col. 3, lines 44-47. Klapper et al. does not disclose the limitations of element 2 of applicant's claim 1.

Paddock et al. - The subject invention relates to an adjustable platform having a quick release mechanism for use with a camera. Col. 1, lines 6-7. There is nothing analogous to applicant's "display-control box" disclosed in Paddock et al.

Kormos et al. - The subject invention relates to pan and/or tilt mechanisms for any systems requiring pointing mechanisms. Col. 1, lines 7-8. There is nothing analogous to applicant's "display-control box" disclosed in Kormos et al.

Kurian - The subject invention is a clutch assembly. Col. 1, lines 4-7. There is nothing analogous to applicant's "display-control box" disclosed in Kurian.

Kennedy et al. - The subject invention relates to a television system for viewing the inside of a chemical recovery boiler and the means for mounting the components of such a system. Col. 1, lines 7-12. There is nothing analogous to applicant's "display-control box" disclosed in Kennedy et al.

McMahon - The subject invention is apparatus for mounting a camera on a helicopter. Title. There is nothing analogous to applicant's "display-control box" disclosed in McMahon.

Baumeister - The subject invention relates to electronic still cameras which use semiconductor imaging sensors instead of film. Col. 1, lines 7-10. There is nothing analogous to applicant's "display-control box" disclosed in Baumeister.

Balkwill et al. - The subject invention is an air and moisture resistant cover with electrical box having a fastening flange. Title. There is nothing analogous to applicant's "display-control box" disclosed in Balkwill et al.

Tovi - The subject invention relates to a surveillance system for use in apartment buildings, warehouses, etc. Col. 1, lines 14-22. There is nothing analogous to applicant's "display-control box" disclosed in Tovi.

Yang - The subject invention is a remote controlled surveillance train car. Title. There is nothing analogous to applicant's "display-control box" disclosed in Yang.

Conway et al. - The subject invention is apparatus for remote control using a visual information stream. Title. There is nothing analogous to applicant's "display-control box" disclosed in Conway et al.

In summary, none of the references relied on by the examiner in rejecting claims 5-13, 15-17, and 19-25 for obviousness disclose the limitations of element 2 of applicant's claim 1. Since the references do not teach or suggest all of the limitations of claim 1 let alone the

limitations added by claims 5-13, 15-17, and 19-25, the examiner has failed to make an *a priori* case of obviousness for any of the claims.

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Claims 1-25 are now believed to be in condition for allowance and such action is respectfully requested.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "R E Malm", with a long horizontal flourish extending to the right.

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